IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 4102 OF 2004 .

Shri Shivaji S. Thakre ... Petitioner.
V/s.
Shri Popatrao B. Bankar & ors. ... Respondents.

Shri Patil for Shri P.N. Joshi for the petitioner.

Shri Sarang Aradhye & Siddharth Karpe for respondent No.1.

Mrs. Urmila K. Sanil for respondent No.1.

CORAM : V.C.DAGA, J.

DATED : 6.3.2006.

P.C. :

. This petition is directed against the order dated 13.1.2004 whereby he was directed to pay Rs. 25,000/- towards no-fault liability within one month. Petitioner contends that insurance policy covers the period from 14.12.2000 to 14.12.2001, whereas the Tribunal has erroneously found that said policy covers the period 14.12.1998 to 31.12.1999. He, thus, submits that the impugned order is bad in law.

2. The Tribunal on examination of the document found that the dates on the policy were altered. Dates 14.12.1998 and 31.12.1999 were altered to 14.12.2000 and 31.12.2001 respectively. The Tribunal also found that there was overwriting on the insurance policy.

3. Petitioner has produced xerox copy of the policy for my inspection. On being asked, learned Counsel for the petitioner could not substantiate his submissions. He also could not dispute overwritings and manipulation in the original insurance policy. In this view of the matter, petitioner, who has fabricated the document, cannot be allowed to claim any relief in the writ jurisdiction of this Court. Petition is, therefore, dismissed in limine with costs quantified in the sum of Rs. 5,000/- (five thousand only), Petitioner is further directed to pay Rs. 25,000/- + Rs. 5,000/-+ costs within two weeks from today failing which Rs. 30,000/- shall carry interest @ 12% p.a. till payment is made in full and final.

(V.C.DAGA,J.)